

REMARKS/ARGUMENTS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 51-59 are pending in this application. Claims 51-58 are amended by the present amendment. As amended Claims 51-58 are supported by the original claims, no new matter is added.

In the outstanding Official Action, Claims 51-59 were objected to; Claims 51 and 52 were rejected under 35 U.S.C. §103(a) as unpatentable over Parulski et al. (U.S. Patent No. 5,633,678, hereinafter "Parulski") in view of Matsumoto et al. (U.S. Patent Application Publication No. 20030123696, 'hereinafter "Matsumoto"); Claim 53 was rejected under 35 U.S.C. §103(a) as unpatentable over Parulski in view of Matsumoto and further in view of Endsley et al. (U.S. Patent No. 6,005,613, hereinafter "Endsley"); Claim 54 was rejected under 35 U.S.C. §103(a) as unpatentable over Parulski in view of Miyata et al. (U.S. Patent Application Publication No. 20050181774, 'hereinafter "Miyata"); Claim 55 was rejected under 35 U.S.C. §103(a) as unpatentable over Parulski in view of Miyata and further in view of Matsumoto; Claims 56 and 57 were rejected under 35 U.S.C. §103(a) as unpatentable over Parulski in view of Miyata and further in view of Kiyan et al. (U.S. Patent No. 5,970,506, hereinafter "Kiyan"). Claims 58 and 59 were indicated as containing allowable subject matter.

Applicants acknowledge with appreciation the indication that Claims 58 and 59 include allowable subject matter.

With regard to the objection to Claims 51-59, Claims 51-53 and 58 are amended to recite "a screen of a display device." Claims 54-57 are amended to delete "the screen of said display device." Accordingly, the objection to Claims 51-59 is believed to be overcome.

With regard to the rejection of Claims 51 and 52 under 35 U.S.C. §103(a) as unpatentable over Parulski in view of Matsumoto, that rejection is respectfully traversed.

Claim 51 recites a recording medium for storing a program executed by a computer, the program comprising, *inter alia*:

creating an image capture guide list which is displayed on the screen of said display device for said image input apparatus, and includes at least one of image titles that represent targets to be recorded and are used for shooting, wherein the creating includes reading out a manufacturer's model identifier from said image input apparatus connected to said computer and creating the image capture guide list adequate for the model.

The outstanding Office Action at page 3, lines 14-17 concedes that Parulski does not describe “the creating includes reading out a manufacturer’s model identifier from said image input apparatus connected to said computer and creating the image capture guide list adequate for the model.” The outstanding Office Action then cited Matsumoto as describing this element.

However, it is respectfully submitted that Matsumoto does not describe the above-quoted element. Matsumoto describes providing, *after images are taken*, attribute information along with image information.¹ As Matsumoto only describes manipulation of data after the images are taken, there is no teaching or suggestion in Matsumoto to create *any image capture guide list*, much less an image capture guide list adequate for a model. Accordingly, neither Parulski nor Matsumoto teach or suggest “the creating includes reading out a manufacturer’s model identifier from said image input apparatus connected to said computer and creating the image capture guide list adequate for the model, “ as recited in Claim 51. Accordingly, Claim 51 is patentable over Parulski and Matsumoto.

¹See Matsumoto, paragraphs 92 and 93 and Figure 7.

As independent Claim 52 recites similar elements to Claim 51, Claim 52 is believed to be patentable over Parulski and Matsumoto for at least the reasons described above with respect to Claim 51.

With regard to the rejection of Claim 53 under 35 U.S.C. §103(a) as unpatentable over Parulski in view of Matsumoto and Endsley, that rejection is respectfully traversed.

Claim 53 recites a recording medium for storing a program executed by a computer, the program comprising, *inter alia*:

creating an image capture guide list which is displayed on a screen of a display device for said image input apparatus, and includes at least one of image titles that represent targets to be recorded and are used for shooting, wherein the creating includes creating the image capture guide list adequate for each model using a table in which model ability information for each model of plural image input apparatuses is registered with respect to each of a plurality of manufacturer's model identifiers.

The outstanding Office Action again cites Matsumoto as describing "creating the image capture guide list adequate for each model." As discussed above, Matsumoto does not describe the creation of any image capture guide list, Matsumoto only describes the organization of image information *after* the images are taken. Accordingly, Claim 53 is believed to be patentable over Parulski in view of Matsumoto and Endsley for at least the reasons described above with respect to Claim 51.


With regard to the rejection of Claims 54-57, amended Claims 54-57 depend from Claim 51. As neither Miyata nor Kiyan cure the deficiencies of Parulski and Matsumoto as noted above, Claims 54-57 are believed to be patentable over the cited art for at least the reasons described above with respect to Claim 51.

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Accordingly, in view of the present amendment, no further issues are believed to be outstanding and the present application is believed to be in condition for formal allowance. An early and favorable action to that effect is respectfully requested.

Respectfully submitted,

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